

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAVIER FARIAS-WALLE,

Petitioner,

v.

ALBERTO GONZALES, et al.,

Respondents.

CASE NO. C05-631JLR

ORDER

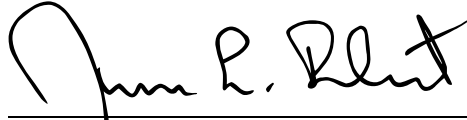
On May 26, 2005, Petitioner Javier Farias-Walle filed a motion to withdraw his petition for writ of habeas corpus (Dkt. # 14) for the purpose of accelerating his removal from the United States.<sup>1</sup> The Government has not filed a response to his motion. Given the recent enactment of the REAL ID Act of 2005, this court no longer has subject matter jurisdiction over habeas petitions challenging orders of removal, such as the one filed by Petitioner. Pub. L. No. 109-13, Div. B., § 106, 119 Stat. 231, 310 (May 11, 2005) (“a petition for review filed with an appropriate court of appeals . . . shall be the sole and exclusive means for judicial review of an order of removal entered or issued under any

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<sup>1</sup>Petitioner previously sought a stay of removal which this court granted temporarily pending briefing and resolution of his habeas corpus action. Order, Dkt. # 2 (Apr. 1, 2005).

1 provision of this Act’).<sup>2</sup> Thus, the court DISMISSES Petitioner’s case for lack of subject  
2 matter jurisdiction.

3 Dated this 9th day of June, 2005.  
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7 JAMES L. ROBART  
8 United States District Judge  
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26 <sup>2</sup>Although only recently enacted, the REAL ID Act of 2005 applies to Petitioner.  
27 Pub. L. No. 109-13, Div. B., § 106, 119 Stat. 231, 311 (May 11, 2005) (“The amendments  
28 . . . shall apply to cases in which the final order of removal . . . was issued before, on or after  
the date of the enactment of this division.”)